

MESSAGE NO: 7041117 MESSAGE DATE: 02/10/1997

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-006, A-122-804, A-357-804,
A-428-604, A-475-017, A-588-838

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/01/1993 TO 08/31/1996

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS SEPTEMBER 1996 FOR ARGENTINA (A-357-804), CANADA (A-122-006/804), GERMANY(A-428-604), ITALY(A-475-017), JAPAN (A-588-838)

MESSAGE NO: 7041117

DATE: 02 10 1997

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 357 - 804

A - 122 - 006

A - 122 - 804

A - 428 - 604

A - 475 - 017

A - 588 - 838

PERIOD COVERED: 09 01 1993 TO 08 31 1996

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NON REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS SEPTEMBER 1996 FOR ARGENTINA (A-357-804), CANADA (A-122-006/804), GERMANY(A-428-604), ITALY(A-475-017), JAPAN (A-588-838)

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS.

INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 353.22 OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR

THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 353.22(e) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

SILICON METAL FROM ARGENTINA PERIOD 9/1/95-8/31/96 A-357-804
LIQUIDATE ALL ENTRIES FOR ALL FIRMS

STEEL JACKS FROM CANADA PERIOD 9/1/95-8/31/96 A-122-006
LIQUIDATE ALL ENTRIES FOR ALL FIRMS

STEEL RAIL FROM CANADA PERIOD 9/1/95-8/31/96 A-122-804 LIQUIDATE
ALL ENTRIES FOR ALL FIRMS

STEEL CRANKSHAFTS FROM GERMANY PERIOD 9/1/95-8/31/96 A-428-604
LIQUIDATE ALL ENTRIES FOR ALL FIRMS

PADS FOR WOODWIND INSTRUMENT KEYS FROM ITALY PERIOD
9/1/95-8/31/96 A-475-017 LIQUIDATE ALL ENTRIES FOR ALL FIRMS

EL FLAT PANEL DISPLAYS FROM JAPAN PERIOD 9/1/93-8/31/96
A-588-838 LIQUIDATE ALL ENTRIES FOR ALL FIRMS

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW, CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES PRIOR TO THE DATE OF THE ANTIDUMPING DUTY ORDER. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY SUMMARY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING/COUNTERVAILING DUTY USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE ON (202) 482-4737, OFFICE OF AD/CVD ENFORCEMENT, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ (ACTING)

NOTE: THIS MESSAGE WAS INADVERTENTLY REMOVED FROM ADIL SO HAS BEEN REPOSTED TO ADIL ON OCTOBER 4, 2005. THE ORIGINAL MESSAGE, WHICH APPEARS IN CEBB, WAS ORIGINALLY SENT TO CMC DIRECTORS, NOT DIRECTORS, FIELD OPERATIONS AND WAS FROM THE DIRECTOR, IMPORT OPERATIONS. IMPORT OPERATIONS IS NOW SPECIAL ENFORCEMENT. THE CASE NUMBERS HAVE BEEN ADDED TO THE "RE:" LINE. THE BALANCE OF THE TEXT AND INFORMATION REMAINS UNCHANGED.

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party